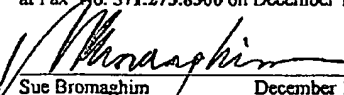


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<b>CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8</b>	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at Fax No. 571.273.8300 on December 15, 2006.	
	
Sue Bromaghin	December 15, 2006

Attorney Docket No. 10002-701.409

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:

Inventor: Mark A. Reiley  
Application No.: 10/658,089  
Filed: September 9, 2003  
Title: **FACET ARTHROPLASTY DEVICES  
AND METHODS**

Confirmation No.: 1396  
Examiner: David J. Isabella  
Group Art Unit: 3738  
Customer No. 66854

**TRANSMITTAL OF RESPONSE TO OFFICE ACTION**

M/S Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:


Transmitted herewith are the following documents in the above-identified application:

- (X) This Transmittal Letter;
- (X) Response to Office Action, for which no fee is due.

☒ Please charge any fee deficit for this paper to Deposit Account No. 50-4050.

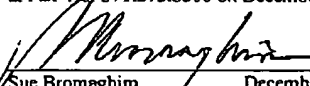
Respectfully submitted,

Dated: December 15, 2006

  
James R. Shay, Reg. No. 32,062

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Customer No. 66854

**RESPONSE TO OFFICE ACTION DATED SEPTEMBER 18, 2006**

M/S Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

This communication is in response to the Office Action dated September 18, 2006. The shortened statutory period for response expires on December 18, 2006. The Response is submitted prior to shortened statutory period for reply, therefore no extension fee is required to enter this Response.

Prior to reconsidering this application on the merits, please amend the application as follows:

The **Claim Listing** begins on page 2 of this paper.

**Applicant Remarks** begin on page 9 of this paper.

Attorney Docket 10002-701.409 - 1 of 13 -